

REMARKS

Reconsideration is requested for claims 1-13.

Claims 1-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over DE 584887 (DE '887) in view of U.S. Patent No. 4,449,689 to *Lautenschlager*.

Claim 1, from which claims 2-13 depend, defines an adjustment device for furniture fittings, comprising a fixing screw, a fitting plate having an elongated hole through which the fixing screw protrudes, the elongated hole extending in adjustment direction of the fitting plate, and a rotating disc, the fixing screw extending through a bore of the rotating disc, the rotating disc being arranged in a pivotable manner on an outer side of the fitting plate, wherein the bore for the fixing screw is arranged in a center of the rotating disc, the rotating disc is arranged on the fitting plate in a manner that allows for height adjustment and the rotating disc, on its an inner side thereof that faces the fitting plate, has a spiral-shaped guiding groove into which a guiding body that is connected to the fitting plate is engaged.

The applicant explains that DE '887 discloses a connecting device to connect a furniture part a with a furniture part c. A rotating disc d with a spiral shaped guiding groove e is pivotably mounted on a body g, which is connected by screws h with the furniture part c. A central fixing screw r is provided to hold an outer plate m.

When the disc d is rotated, a body b connected with the furniture part a will be clamped by the spiral groove e so that both furniture parts a and c are connected. Rotation of the disc d does not permit adjustment of the furniture parts a and c.

It is respectfully submitted that persons skilled in the art of adjusting devices, as in the present invention, would not consider the connecting device of DE '887 to be relevant prior art.

It is also not apparent what is considered to correspond to the elongated hole in a fitting plate as recited in claim 1. It appears that hole in the disc m through which the screw r extends would not have been elongated because it is necessary that the disc be positioned precisely relative to the rotating disc d to permit connection of the furniture parts a and c. In other words, such a modification would be understood to destroy the alleged invention of DE '887 for its intended function.

Lautenschlager et al. discloses an adjustable hanger for wall-hung cabinets and the like that is not directed to connecting two furniture parts. No fixing screw extends through a bore of the rotating disc.

It is respectfully submitted that persons skilled in the art would not have modified DE'887 in view of *Lautenschlager et al.* because they are designed to perform different functions. Also, it is understood that a modification of DE '887 to provide an elongated hole in the disc m of DE '887 would destroy the connecting device of that patent for its intended function. Accordingly, it is respectfully submitted that claim 1 and the claims dependent therefrom, claims 2-13, define patentably over DE '887 in view of *Lautenschlager et al.*

To the extent that any extensions of time are necessary in connection with this application it is requested that there be a standing petition for extension of time and that any additional fees that are required, or refunds due, in connection with this or any other paper filed in connection with this application be charged to Deposit Account 503015.

If a telephone conference would be helpful in resolving any outstanding issues, please
contact the undersigned.

1217 King Street
Alexandria, VA 22314
(703) 299-0953

Date: February 1, 2009

Respectfully submitted,

WRB-IP LLP

By: /Harold R. Brown III/
Harold R. Brown III
Registration No. 36,341